

1 here. It appears to be a date of 12/18/02 and a military
2 time of 15:38:39. It's Page 1 of 1, it's a one-page
3 document. If I purport to you, for purposes of our
4 questions, that this is a computer check that someone ran on
5 December 18th of 2002, looking for Ohio registration
6 information -- let's proceed on that assumption and I'll ask
7 a couple questions on that. If you go down a few, like to
8 where it talks about -- where it starts with the letters
9 LIC/WOT579. Okay, would you agree with me that's the same
10 license number that's listed on the search warrant Exhibit
11 1?

12 A. Okay. Yes, I would agree that's the same as
13 what's listed.

14 Q. And LI year, I guess, might be license year 1996;
15 would it be -- might it be the appropriate year that it was
16 licensed, as far as you remember?

17 A. No, it was licensed in 1995.

18 Q. When you bought it. Okay, but it might have
19 carried into '96 for expiration; I guess it shows it would
20 have been expired in 1996/02/01, which might be February 1st
21 of '96 it would have expired?

22 A. Perhaps, I have no idea.

23 Q. And underneath there then is listed your name,
24 Durham, Warren, Jr.; is that correct?

25 A. Correct.

-A-

1 Q. And 12119 Matherson Avenue, Cleveland, that is
2 also your correct address; is that right?

3 A. That's correct.

4 Q. The VIN then listed there, if you want to take a
5 minute or two and compare every letter and number of that
6 VIN with the search warrant number.

7 A. I have.

8 Q. Okay. They are precisely the same; are they not?

9 A. Well, according to -- I agree that this computer
10 printout, wherever it may have come from, sort of
11 complements the search warrant.

12 Q. Okay. And this VYR/1982 vehicle year, would that
13 at least -- from this printout it's says it's a vehicle year
14 of 1982?

15 A. Well, it certainly complements the search warrant.

16 Q. And the VMA/OLDS.VST, means the vehicle model is
17 an Oldsmobile, which is correct; is that right?

18 A. According to this document.

19 Q. And it's a 4D, which is probably four door?

20 A. According to this document.

21 Q. So, subject to anybody being able to reproduce
22 this or verify that this is an actual search of the Ohio
23 VIN, vehicle registration numbers, if that is true, if that
24 can be verified as truth, then that would indicate that the
25 search warrant information correctly identified your

1 vehicle?

2 A. Let me say this, according to the City of Erie the
3 wrong VIN was wrote down. Because at that particular time
4 my car was destroyed, because they couldn't find that I was
5 the person that owned it or where I was located. So it
6 seemed like there was a little bit of a conflict.

7 Q. But wasn't that -- and if you recollect properly
8 was that because the Pennsylvania vehicle records were
9 searched and not the Ohio ones before the vehicle was
10 destroyed?

11 A. I have no idea, because it had Ohio tags.

12 Q. Okay. Because if you look through what you have
13 been given and what's been supplied to the Court, a
14 Pennsylvania check was done before the vehicle was crushed
15 by whoever, West End would have done it, and it showed no
16 owner because Pennsylvania wouldn't have had it registered;
17 is that right?

18 A. Well, no, I have to disagree with you. The search
19 warrant here, affidavit says date of violation 1/23/96 based
20 on this. And this was the warrant was obtained 1/24/96 and
21 they knew who I was at that time, the next day after I was
22 arrested.

23 Q. Right.

24 A. They knew who I was and where I lived in Ohio and
25 the Ohio license plate.